



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 3/17/2020

Agenda Placement: 6N

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Christine Briceño for Karen Taylor - Director
Human Resources
REPORT BY: Olivia Soria, Benefits Administrator - 253-4945
SUBJECT: Industrial Disability Retirement

RECOMMENDATION

Director of Human Resources requests adoption of a resolution regarding an application for industrial disability retirement determining that an employee in the Sheriff's Office is substantially incapacitated within the meaning of the California Public Employees' Retirement Law for performance of his duties and eligible for advance disability pension payments effective March 7, 2020.

EXECUTIVE SUMMARY

Mr. Erik Fisher, a Deputy Sheriff II in the Sheriff's Office, filed for an industrial disability retirement to become effective March 7, 2020. The Human Resources Division has reviewed the medical and other evidence that supports a finding that Mr. Fisher is incapacitated for the performance of his duties as a Deputy Sheriff II due to a disabling condition that is work-related. Additionally, according to Labor Code Section 4850, employers are required to make monthly advance disability pension payments to safety members. Human Resources recommends approval of the industrial disability retirement and advance disability pension payments through the proposed resolution.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	County General Funds. The advance payments will terminate once CalPERS begins paying the disability retirement allowance, and

	CalPERS will reimburse the County the amount of advance payments made.
Is it Mandatory or Discretionary?	Mandatory
Is the general fund affected?	Yes
Future fiscal impact:	The advance payments should only occur in Fiscal Year 2019-2020, and will be reimbursed by CalPERS once CalPERS begins paying the disability retirement allowance to Mr. Fisher.
Consequences if not approved:	If this action is not approved, Mr. Fisher will be unable to obtain industrial disability retirement status with CalPERS.
County Strategic Plan pillar addressed:	
Additional Information:	

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The California Public Employees' Retirement Law requires that a contracting agency determines whether an employee of such agency, who is classified as a local safety member, is disabled for purposes of the California Public Employees' Retirement Law, and whether such disability is "industrial" within the meaning of the law. The medical reason for the disability is included in the resolution as required by the California Public Employees' Retirement Law.

Mr. Erik Fisher filed for an industrial disability retirement to become effective March 7, 2020. The Human Resources Division has reviewed the medical and other evidence that supports a finding that Mr. Fisher is incapacitated for the performance of his duties as a Deputy Sheriff II due to a disabling condition that is work-related. Additionally, according to Labor Code Section 4850, employers are required to make monthly advance disability pension payments to safety members. The advance payments shall not exceed 50% of the member's highest consecutive 12-month average monthly salary. These payments will terminate once CalPERS begins paying the disability retirement allowance, and CalPERS will reimburse the County the amount of advance payments made. Therefore, the Director of Human Resources is recommending approval of the industrial disability retirement and advance disability pension payments through the proposed resolution.

SUPPORTING DOCUMENTS

A . Resolution

CEO Recommendation: Approve

Reviewed By: Helene Franchi